

1 amendment says, when we say "no person shall be discrimi-
2 nated against by law", we have said it all. And the
3 amendment is simply superfluous. It is repetitious and
4 should be defeated.

5 THE CHAIRMAN: Delegate Mitchell.

6 DELEGATE MITCHELL: Delegate Scanlan, two
7 minutes.

8 THE CHAIRMAN: Delegate Scanlan.

9 DELEGATE SCANLAN: Mr. Chairman, fellow
10 delegates, in arising to support this amendment I suppose
11 some would say that I am being inconsistent.

12 Certainly it can be argued that the language,
13 the equal protection clause, furnishes all the protection
14 that the language proposed by the minority suggests. I
15 think there are two answers to that.

16 I think we should write a Constitution for the
17 ages and for the decades to come. There are moments when
18 we should take into account the facts of history.

19 The equal protection clause has been interpreted
20 by the Supreme Court to prohibit the type of discrimination
21 that the minority would specifically prohibit. Those are